

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Eddie L. Torrence, Jr.
12001 Old Buckingham Road
Midlothian, VA 23113
Last four digits of SSN: xxx-xx-6403

Case No. 11-35116
Chapter 13
Trustee: Suzanne E. Wade

**MOTION FOR MORTGAGE LOAN MODIFICATION
BY CHAPTER 13 DEBTOR AFTER CONFIRMATION**

COMES NOW the Debtor, Eddie L. Torrence, Jr., by counsel and respectfully makes Motion for Authority to enter into a mortgage loan modification after confirmation pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Rule 6004-4. In support of his motion the Debtor states as follows:

1. Eddie L. Torrence, Jr. (the "Debtor") commenced this case on August 8, 2011 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division.
1. The Debtor's Chapter 13 plan has been confirmed.
2. The Debtor owns the real estate situated in Chesterfield, Virginia known as 12001 Old Buckingham Road, Midlothian, VA 23113 (the "Real Property") by way of Deed. The legal description of the Real Property is as follows:

ALL that certain lot, piece or parcel of land, with all improvements thereon and appurtenances thereto belonging, lying and being in the County of Chesterfield, Virginia, and shown and designated as Lot 6, Block A, Section C-2, on Subdivision Plat of Olde Coach Village, recorded in the Clerk's Office, Circuit Court of Chesterfield County, Virginia, in Plat Book 22, pages 22 and 23, to which plat reference is hereby made for a more particular description of the property.

BEING the same real estate conveyed to Larry C. Powers and Robert L. Johnson, as tenants in common, by Deed from Clyde M. Fowler, divorced and not remarried and Ruby M. Fowler, divorced and not remarried, dated May 30, 2007, recorded September 14, 2007 in Deed Book 7997, Page 220, in the Clerk's Office, Circuit Court, Chesterfield County, Virginia.

3. The Debtor has been approved for a loan modification with Select Portfolio Servicing.

4. Upon information and belief, the Real Property is encumbered by a lien in favor of Select Portfolio Servicing, and the present unpaid principal balance according to the offered modification agreement is approximately \$193,284.06
5. The loan modification will include the terms below or more favorable to the Debtor:

| | Effective Date | Principal Balance | Interest Rate | Monthly P&I Payment | Maturity Date of Loan |
|---------------------|-----------------------|--------------------------|----------------------|--------------------------------|------------------------------|
| Before Modification | 4/1/09 | 186,049.00 | 5.0% | 998.76 | 3/1/2039 |
| After Modification | 6/1/44 | 193,284.06 | 4.5% | 979.34 | 6/1/2044 |

The modification results in a lower monthly principal and interest payment of approximately \$20.00 monthly. The debtor does not anticipate increasing his plan payment. The adjusted mortgage payment was listed in the amended/modified plan which was filed with the court on or about March 31, 2015.

6. Debtor further requests that the Court waive application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter in order to facilitate the efficient closing on the loan modification of the Real Property.

WHEREFORE, the Debtor prays that this Court enter an Order:

1. That approves the loan modification of the Real Property with Select Portfolio Servicing;
2. That waives the application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter;
3. That releases the Trustee from paying any further arrears claim to Select Portfolio Servicing;
and
4. For such other and further relief as the Court deems just and proper.

Respectfully submitted:
Eddie L. Torrence, Jr.

By: /s/ Pia J. North
Pia J. North, Esq., #29672
Attorney for Debtor
North Law
5913 Harbour Park Drive
Midlothian, VA 23112
Phone: (804) 739-3700
Fax: (804) 739-2550

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Eddie L. Torrence, Jr.
12001 Old Buckingham Road
Midlothian, VA 23113
Last four digits of SSN: xxx-xx-6403

Case No. 11-35116
Chapter 13
Trustee: Suzanne E. Wade

NOTICE OF MOTION

Pia J. North, attorney for **Eddie L. Torrence, Jr.** has filed a Motion for Mortgage Loan Modification after Confirmation pursuant with the Court. The loan modification will include the terms below or more favorable to the Debtor:

| | Effective Date | Principal Balance | Interest Rate | Monthly P&I Payment | Maturity Date of Loan |
|---------------------|-----------------------|--------------------------|----------------------|--------------------------------|------------------------------|
| Before Modification | 4/1/09 | 186,049.00 | 5.0% | 998.76 | 3/1/2039 |
| After Modification | 6/1/44 | 193,284.06 | 4.5% | 979.34 | 6/1/2044 |

The modification results in a lower monthly principal and interest payment of approximately \$20.00 monthly. The debtor does not anticipate increasing his plan payment. The adjusted mortgage payment was listed in the amended/modified plan which was filed with the court on or about March 31, 2015.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before 21 days from April 6, 2015, you or your attorney must:

- x File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Suite 4000
Richmond, VA 23219-3515

You must also mail a copy to:

Pia J. North, Esquire
5913 Harbour Park Drive
Midlothian, VA 23112
Suzanne E. Wade
P.O. Box 1780
Richmond, VA 23218-1780

Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219-3515

- Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing.
If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.
- Attend the hearing on the motion (or objection) scheduled to be held on April 29, 2015 at 10:00am. at United States Bankruptcy Court, 701 E. Broad Street, Suite 5100, Richmond, VA 23219-3515.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: April 6, 2015

/s/Pia J. North

Pia J. North
5913 Harbour Park Drive
Midlothian, VA 23112
(804) 739-3700

Certificate of Service

I hereby certify that I have on April 6, 2015, transmitted a true copy of the foregoing Notice and Motion for Mortgage Loan Modification after Confirmation electronically through the Court's CM/ECF system or by first class mail, postage pre-paid to: the Debtor; The Chapter 13 trustee; the United States trustee; all parties having a lien against the property; and any creditor who has requested to receive all notices in the case if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1(d)(3), and to all creditors and parties in interest on the mailing matrix maintained by the clerk of court, a copy of which is attached.

/s/Pia J. North

Pia J. North for Eddie L. Torrence, Jr.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Eddie L. Torrence, Jr.
12001 Old Buckingham Road
Midlothian, VA 23113
Last four digits of SSN: xxx-xx-6403

Case No. 11-35116
Chapter 13
Trustee: Suzanne E. Wade

Summary of the Proposed Loan Modification

| | Original Loan | Modified Loan |
|-----------------------|---------------|---------------|
| Principal Amount | \$186,049.00 | \$193,284.06 |
| Interest Rate | 5.0% | 4.5% |
| Term or Maturity Date | March 1, 2039 | June 1, 2044 |
| Monthly Payment | \$998.76 | \$979.34 |

2. The modified loan includes future payment changes or balloon payments. The terms of any such future payment changes or balloon payments are:

2. The modification results in a higher monthly payment.

3. The modification results in a lower monthly payment. Choose one of the following:

a. The amount of future plan payments will be increased

b. The amount of future plan payments will not be increased. The amended/modified plan reflects the adjusted mortgage payment which was filed on or around March 31, 2015.

Case 11-35116-KLP Doc 68 Filed 04/06/15 Entered 04/06/15 12:52:07 Desc Main Label Matrix for local noticing Midland Funding LLC by American InfoSource L Document Page 6 of 8 National Capital Management, LLC 0422-3 Attn: Department 1 8245 Tournament Drive Case 11-35116-KLP PO Box 4457 Ste. 230 Eastern District of Virginia Houston, TX 77210-4457 Memphis, TN 38125-1741 Richmond

Mon Apr 6 12:44:37 EDT 2015

Quantum3 Group LLC as agent for
MOMA Funding LLC
PO Box 788
Kirkland, WA 98083-0788

Recovery Management Systems Corporation
25 SE 2nd Ave Ste 1120
Miami, FL 33131-1605

SUNTRUST MORTGAGE, INC.
suntrust mortgage,inc
BANKRUPTCY DEPT. RVW 3034
PO BOX 27767
RICHMOND, VA 23261-7767

eCAST Settlement Corporation
POB 29262
New York, NY 10087-9262

United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

Brclysbankde
P.O. Box 8803
Wilmington, DE 19899-8803

CANDICA, LLC
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

CIGPF I Corp
C/O NCO Financial Systems, Inc.
PO Box 4941
Trenton, NJ 08650-4941

Cap One
Pob 30281
Salt Lake City, UT 84130-0281

Capital One Bank (USA), N.A.
by American InfoSource LP as agent
PO Box 71083
Charlotte, NC 28272-1083

Chesterfield County - PP Taxes
Richard A. Cordle, Treasurer
Post Office Box 26585
Richmond, VA 23261-6585

Comcast Cable
6510 Ironbridge Road
Richmond, VA 23234-5263

Commonwealth of VA-Tax
P.O. Box 2156
Richmond, VA 23218-2156

Credit Acceptance
Po Box 513
Southfield, MI 48037-0513

Credit Acceptance Corporation
25505 W. 12 Mile Rd.
Suite 3000
Southfield, MI 48034-8331

Credit Control Corp
11821 Rock Landing Dr
Newport News, VA 23606-4207

Discover Bank DB Servicing Corporation
PO Box 3025
New Albany, OH 43054-3025

Discover Fin Svcs Llc
Po Box 15316
Wilmington, DE 19850-5316

(p)DOMINION VIRGINIA POWER
PO BOX 26666
18TH FLOOR
RICHMOND VA 23261-6666

GE Capital Retail Bank
c/o Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami, FL 33131-1605

GE Money
P. O. Box 103104
Roswell, GA 30076-9104

GE Money Bank
c/o B-Line, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

Gemb/Ge Money Bank Low
Po Box 103065
Roswell, GA 30076

HSBC Bank ATTENTION Bankruptcy
P.O. 5263
Carol Stream, IL 60197-5263

Internal Revenue Service
Insolvency Unit
Post Office Box 7346
Philadelphia, PA 19101-7346

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Michael P.Chabrow
12 South Summit Avenue
Suite 250
Gaithersburg, MD 20877-2092

Case 11-35116-KLP Doc 68 Filed 04/06/15 Entered 04/06/15 12:52:07 Desc Main
Midland Credit Management, Inc. Midland Credit Mgmt Document Page 7 of 8
8875 Aero Drive, Suite 200 8875 Aero Dr
San Diego, CA 92123-2255 San Diego, CA 92123-2255
Midland Funding LLC
by American InfoSource LP as agent
Attn: Department 1
PO Box 4457
Houston, TX 77210-4457

| | | |
|---|--|--|
| Nca P.O. Box 550 327 West Fourth St Hutchinson, KS 67504-0550 | North & Associates, PC Pia J. North 5913 Harbour Park Drive Midlothian, VA 23112-2163 | QVC, Inc. Customer Service 1200 Wilson Drive at Studiopar West Chester, PA 19380-4267 |
|---|--|--|

| | | |
|---|--|---|
| Recovery Management Systems Corporation 25 S.E. 2nd Avenue, Suite 1120 Miami, FL 33131-1605 | Rosario Washington 101 Oak Glen Street Richmond, VA 23225-6836 | Security Credit Servic 2653 W Oxford Loop Oxford, MS 38655-5442 |
|---|--|---|

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|--|---|--|
| Select Portfolio Servicing, Inc P.O. Box 65450 Salt Lake City, UT 84165-0450 | Sst/Cigpf1c 4315 Pickett Road Saint Joseph, MO 64503-1600 | SunTrust Mortgage, Inc. Bankruptcy Department RVW 3034 P.O. Box 27767 Richmond, VA 23261-7767 |
|--|---|--|

| | | |
|--|---|---|
| Suntrust Mortgage/Cc 5 1001 Semmes Ave Richmond, VA 23224-2245 | TARGET NATIONAL BANK C O WEINSTEIN AND RILEY, PS 2001 WESTERN AVENUE, STE 400 SEATTLE, WA 98121-3132 | Target N.B. Po Box 673 Minneapolis, MN 55440-0673 |
|--|---|---|

| | | |
|---|---|--|
| Treasurer Chesterfield County Attn: Laura Saxon PO Box 70 Chesterfield VA 23832-0906 | Union 1st Market Bank Po Box 446 Bowling Green, VA 22427-0446 | Verizon PO BOX 3037 Bloomington, IL 61702-3037 |
|---|---|--|

| | | |
|---|---|---|
| Verizon - Bankruptcy Dept P.O. Box 3397 Wilmington, IL 61702-3397 | Verizon Virginia Inc 500 Technology Dr Weldon Spring, MO 63304-2225 | Verizon Wireless PO BOX 3397 Bloomington, IL 61702-3397 |
|---|---|---|

| | | |
|--|---|---|
| Wells Fargo Dealer Services, Inc. PO Box 19657 Irvine, CA 92623-9657 | Wfds/Wds Po Box 1697 Winterville, NC 28590-1697 | Eddie L. Torrence Jr. 12001 Old Buckingham Road Midlothian, VA 23113-2731 |
|--|---|---|

| | |
|---|---|
| Pia J. North North Law 5913 Harbour Park Drive Midlothian, VA 23112-2163 | Suzanne E. Wade P.O. Box 1780 Richmond, VA 23218-1780 |
|---|---|

Dominion Virginia Power
Attn: System Credit
Post Office Box 26666
Richmond, VA 23261

Jefferson Capital Systems LLC
PO BOX 7999
SAINT CLOUD MN 56302-9617

Document Page 8 of 8

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)DLJ Mortgage Capital, Inc. c/o Select Port

(u)SELECT PORTFOLIO SERVICING, INC. AS SERVIC

(u)Select Portfolio Servicing, Inc

(u)SunTrust Mortgage, Inc.

(d)National Capital Management, LLC.
8245 Tournament Drive
Suite 230
Memphis, TN 38125-1741

(d)Quantum3 Group LLC as agent for
MOMA Funding LLC
PO Box 788
Kirkland, WA 98083-0788

(d)eCAST Settlement Corporation
POB 29262
New York NY 10087-9262

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|---------------------|----|
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| Mailable recipients | 55 |
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